

Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NATIONAL INDEMNITY COMPANY,

Plaintiff,

vs.

SOUTH PARK MARINA, formerly known as
WILLARD S. CROW D/B/A SOUTHPARK
BOAT HAVEN,

Defendant.

No. 2:23-cv-01355-RSM

**JOINT STIPULATION FOR FINDINGS
AND ORDER OF DECLARATORY
JUDGMENT**

Plaintiff National Indemnity Company (“NICO”) and Defendant Southpark Marina, formerly known as Willard S. Crow d/b/a Southpark Boat Haven, which is also known and/or currently known as Southpark Marina Limited Partnership (hereinafter referred to as “South Park”), stipulate as stated below:

1. NICO and South Park entered into a contract of insurance, NICO policy No. GLA 28564, effective August 26, 1970, to August 26, 1971 (“Policy”).

2. NICO brought this action for a declaration pursuant to 28 U.S.C. §2201 *et seq.* that the liability insurance issued under the Policy was for limits of \$100,000.00 each occurrence for Property Damage Liability.

1 3. South Park contended and generally alleged, based on one or more documents
2 referenced in or attached as Exhibits to the Complaint, that the liability insurance issued under the
3 Policy was for limits of \$300,000.00 per occurrence for Property Damage Liability.

4 4. South Park agrees, for purposes of resolving the disputes between the parties
5 regarding the per-occurrence limits and in connection with the resolution and forthcoming
6 dismissal with prejudice of the Complaint, that the Policy was issued for limits of \$100,000.00
7 each occurrence / per occurrence for Property Damage Liability.

8 Dated this 15th day of May, 2024.

Dated this 15th day of May, 2024.

9 FORSBERG & UMLAUF, P.S.

KARR TUTTLE CAMPBELL

10 s/ Carl E. Forsberg

s/ Thomas D. Adams

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Attorneys for Defendant

FINDINGS AND DECLARATORY ORDER OF COURT

After consideration of the foregoing Joint Stipulation for Findings, and the Court being fully advised in the premises, it is hereby ORDERED:

Under this Court's authority to enter declaratory relief requested in the Complaint and pursuant to 28 U.S.C. §2201 *et seq.*, it is hereby ordered and decreed that the limits of National Indemnity Company policy No. GLA 28564 were and are \$100,000.00 each occurrence for Property Damage Liability.

DATED: May 20, 2024



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

Presented by:

FORSBERG & UMLAUF, P.S.

s/ Carl E. Forsberg

Carl E. Forsberg, WSBA #17025
Attorneys for Plaintiff

KARR TUTTLE CAMPBELL

s/ Thomas D. Adams

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